

MINUTES



REGULAR MEETING OF THE PLANNING COMMISSION, CITY OF HAYWARD, Council Chambers

Thursday, October 11, 2001, 7:30 P.M.
777 "B" Street, Hayward, CA 94541

MEETING

The regular meeting of the Hayward Planning Commission was called to order at 7:30 p.m. by Chairperson Halliday, followed by the Pledge of Allegiance.

ROLL CALL

Present: COMMISSIONERS Zermeño, Williams, Sacks, Caveglia, Bogue, Thnay
CHAIRPERSON Halliday
Absent: COMMISSIONER None

Staff Members Present: Anderly, Camire, Conneely, Emura, Looney

General Public Present: Approximately 15

PUBLIC COMMENT

Chairperson Halliday discussed changes on this agenda. She noted that Items 1, 2, and 4 would be continued to a future date.

Steven Simson, Riverside, representing Bay Cities Auto Auction, asked for an off-calendar continuance for Item 2, since they had not been given enough time to study the staff comments on their proposal.

AGENDA

1. **Planning Director Referral of a Class 1 Telecommunication Facilities (Building Mounted) - Site Plan Review 2001-0121 - Laura Spano for Verizon Wireless (Applicant); Hanford Hotels (Owner) - Request to Construct, Operate and Maintain an Unstaffed, Wireless Telecommunication Facility at the Executive Inn. The Property is Located at 20777 Hesperian Boulevard, in the Airport Terminal - Commercial (AT-C) Zoning District (continued from September 20, 2001 meeting)**
2. **Conditional Use Permit Application No. 2001-0102 - Leslie Rica, Rica Construction (Applicant); Bay Cities Auto Auction (Owners): Request to Expand the Auto Auction Facility with the Construction of a 5,930 Square Foot Building Addition. The Property is Located at 29900 Auction Way in the Industrial (I) Zoning District**
3. **Use Permit No. PL-2001-0150 - Peter Yun (Applicant), Far East Realty (Owner): Request to Operate a Tattoo Parlor in the General Commercial (CG) Zoning District. The Property is Located at 381 Jackson Street, North of Sycamore Avenue on the East Side of Jackson Street**

4. **Zone Change No. PL-2001-0223 and Tentative Tract Map No. 7341 – Brian Purcell for PF Trust (Applicant), Brian and Kimberly Purcell (Owners):** Request to Reclassify the Site from Commercial Office (CO) District to a Planned Development (PD) District for the Purpose of Constructing Eight Townhouses. The Project is Located at 338 West Winton Avenue at the Northwest Corner of Alice Street
5. **Planned Development No. 01-120-02 & Tentative Map Tract 7262 – Abdul Mahdavi (Applicant/Owner):** Request to Subdivide a 1.3± Acre Parcel into 8 Single-Family Parcels and Change the Zoning from RS (Single-Family Residential) District to PD (Planned Development) District. The Property is Located at 25958 Gading Road within the Harder-Tennyson Neighborhood

PUBLIC HEARINGS

1. **Planning Director Referral of a Class 1 Telecommunication Facilities (Building Mounted) - Site Plan Review 2001-0121 - Laura Spano for Verizon Wireless (Applicant); Hanford Hotels (Owner) -** Request to Construct, Operate and Maintain an Unstaffed, Wireless Telecommunication Facility at the Executive Inn. The Property is Located at 20777 Hesperian Boulevard, in the Airport Terminal - Commercial (AT-C) Zoning District **(continued from September 20, 2001 meeting)**

This item has been continued until November 1, at the request of staff. Planner Emura indicated that staff had not been able to review the applicant's latest proposal in time for the meeting.

2. **Conditional Use Permit Application No. 2001-0102 – Leslie Rica, Rica Construction (Applicant); Bay Cities Auto Auction (Owners):** Request to Expand the Auto Auction Facility with the Construction of a 5,930 Square Foot Building Addition. The Property is Located at 29900 Auction Way in the Industrial (I) Zoning District
Continued at the request of the applicant.

3. **Use Permit No. PL-2001-0150 – Peter Yun (Applicant), Far East Realty (Owner):** Request to Operate a Tattoo Parlor in the General Commercial (CG) Zoning District. The Property is Located at 381 Jackson Street, North of Sycamore Avenue on the East Side of Jackson Street

Associate Planner Camire made the staff presentation. She described the location of the shop. She also stated that the hours of operation would be 2 p.m. to 10 p.m. and the shop will be closed on Thursdays. Furthermore, Mr. Yun and his wife will operate the business and will not have employees. Mr. Yun anticipated three customers on weekdays; ten customers each weekend day. The applicant has agreed to all of the Conditions of Approval, which include site and building improvements and operating procedures. Staff recommended approval of the use permit.

Commissioner Bogue asked about the parking, and whether it was behind the building or if there was none.



Associate Planner Camire indicated that parking in the rear of the building is for the applicant. There are 4 spaces on site.

Chairperson Halliday asked about Condition 2 regarding sanitary practices. She asked whether there is an agency to govern tattoo parlors regarding health standards. She was told that the County Health Department does not have standards restricting tattoo parlors and neither does the State.

The public hearing opened at 7:45 p.m.

Robert Yuen, speaking for the applicant, described Mr. Yun's years of experience as a tattoo artist. He then delineated the history of tattooing. He answered various questions from Commissioners regarding standards and certification. He said the applicant makes his own needles and sterilizes them on the site.

Chairperson Halliday asked whether any agency regulates tattoo parlors or provides standards for them.

Peter Yun, applicant, responded that it is all voluntary.

Katherine Lim, described Mr. Yun as an artist. She commented that most of the clientele would be from the Chinese community. The shop would not create problems in the neighborhood.

Don Tiejn, a neighbor in the area, said they already have a tattoo shop nearby. The neighborhood does not need another tattoo shop here. He said there are a number of gangs in the area. What they would like, is a bookstore.

The public hearing closed at 8:00 p.m.

Commissioner Zermeno moved, seconded by Commissioner Sacks, to approve the staff recommendation.

Commissioner Sacks commented that she could understand why people might think one tattoo parlor in the neighborhood is enough. She noted, however, that this young man is doing this professionally. She added that it seems fitting to be next to another similar business.

Commissioner Bogue asked the maker of the motion to add a condition to observe all applicable guidelines from the County Health Department.

Chairperson Halliday said she would support the motion but that tattoos are much more common now. She did express concerns regarding the health implications. She would agree

that County Health guidelines should be in effect.

The motion passed 5:0:2, with Commissioners Williams and Thnay absent.

4. Zone Change No. PL-2001-0223 and Tentative Tract Map No. 7341 – Brian Purcell for PF Trust (Applicant), Brian and Kimberly Purcell (Owners): Request to Reclassify the Site from Commercial Office (CO) District to a Planned Development (PD) District for the Purpose of Constructing Eight Townhouses. The Project is Located at 338 West Winton Avenue at the Northwest Corner of Alice Street

The item was continued until November 1, at the request of staff since there was not time enough to review the request.

5. Planned Development No. 01-120-02 & Tentative Map Tract 7262 – Abdul Mahdavi (Applicant/Owner): Request to Subdivide a 1.3± Acre Parcel into 8 Single-Family Parcels and Change the Zoning from RS (Single-Family Residential) District to PD (Planned Development) District. The Property is Located at 25958 Gading Road within the Harder-Tennyson Neighborhood

Associate Planner Camire presented the staff report. She noted that each of the 8 homes on the site would have two-stories. The ninth lot will be a commons with open space. She noted that this proposal meets the guidelines for the Harder-Tennyson neighborhood. Staff recommends approval to Council subject to the findings and conditions.

Commissioner Zermeño asked about the church property adjacent to subject property and whether there may be problems in the foreseeable future.

Associate Planner Camire indicated that the church would be requested to build a masonry wall between the properties. She noted that they have already amended their project and would be resubmitting their application.

Commissioner Sacks stated that the driveway from Gading to the project site appears narrow. She was told it is 27-feet wide.

Chairperson Halliday asked about the conditions of approval for tentative tract map, #2 regarding improvement of the existing driveway. She was told the improvement would be to meet City standards. The driveway is now used for access to several dwellings.

Commissioner Sacks asked about the bushes encroaching on the driveway which makes it appear narrower.

Commissioner Zermeño asked whether they could propose “No Parking” at the entryway, inside the project.

Jose Cordero, who resides next to the project site, asked for nice fences to be built as well as the houses. He said he did not have a problem with the houses.

The general contractor for the project responded to further questions from the Commission.

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He said the homes would not be for sale. A family consisting of brothers and sisters will live in all 8 homes.

The public hearing closed at 8:27 p.m.

Commissioner Sacks moved, seconded by Commissioner Zermeño, to approve recommending to Council all of the staff recommendations.

Commissioner Bogue commented that he agreed with the motion and with the neighbor. He noted that these were more in line with the Neighborhood Plan than an initial proposal for apartments. Although the area can handle more units, they are more concerned about the future.

Planning Manager Anderly explained that in this neighborhood plan, they retained the General Plan Map designation of density and rezoned this area to single-family. This parcel had 40-some apartments.

Commissioner Bogue added his thanks for a very well thought out project.

Commissioner Sacks commented that this is not unlike what is happening in older neighborhoods. It has been an on-going problem. She said she was happy to hear comments regarding the Neighborhood Plan.

Commissioner Caveglia asked what the projected price of the houses would be. He was told that they would not be sold outside the family.

Commissioner Zermeño commented on one other aspect of the project. These homes would be owned and not rented, adding to the homeownership stock for the City.

Chairperson Halliday said she would be supporting the motion. She had some initial concerns regarding the square footage of homes, as well as concerns that the driveway seems too narrow and crowded. She commented that this qualifies as in-fill development and is a very good alternative to the apartments previously considered for development on the site.

The motion passed 5:0:2, with Commissioners Williams and Thnay absent.

ADDITIONAL MATTERS

6. Oral Report on Planning and Zoning Matters

Planning Manager Anderly discussed upcoming Commission meetings. She noted that there would be no more meetings in October, except for an up-coming Work Session with the City Council.

7. Commissioners' Announcements, Referrals

There were no announcements or referrals.

MINUTES

- September 6, 2001 - Passed
- September 20, 2001 - Held until the next meeting with the addition of the vote on Page 12.

ADJOURNMENT

The meeting was adjourned by Chairperson Halliday at 8:37 p.m., in sympathy for Commissioner Williams, on the death of his wife Waldena.

APPROVED:

Francisco Zermeño, Secretary
Planning Commission

ATTEST:

Edith Looney
Commission Secretary